

## REMARKS

### STATUS OF CLAIMS

Claims 1-21 were pending.

Claims 1-10 and 16-21, previously withdrawn, have been canceled.

Claim 22 is newly added.

Accordingly, Claims 11-15 and 22 are pending. Of these, Claims 11-14 were rejected, while Claim 15 was objected to as being dependent on a rejected base claim.

### CLAIM AMENDMENTS

Claims 1-10 and 16-21, previously withdrawn, have been canceled without prejudice or disclaimer of the subject matter therein, for possible inclusion in a divisional application.

Claim 15 was objected to as being dependent on rejected independent Claim 13, but was deemed allowable if rewritten in independent form to include all the elements and limitations of its base independent claim (here, Claim 13) and any intervening claims. Claim 15 has been appropriately rewritten in independent form. However, Claim 15 (as currently amended) has been slightly modified from its previous form in that it is a combination of dependent Claim 15 and Claim 13 as originally filed (in effect, Applicants are withdrawing certain of the previously-entered amendments to Claim 13 since they were not deemed persuasive by the Examiner). Accordingly, although Claim 15 is believed allowable, it may require (re-)review by the Examiner.

Regarding Claims 11 and 13, Applicants took the position in the Amendment filed June 17, 2003 that the present invention, as characterized in these claims, is different from the cited prior-art references (specifically, the Blanck patent) in that the blocking device and blocking means are configured for attachment to the firearm's receiver instead of to the firearm's stock. (This means that the present invention can be used in situations where a firearm stock is not available). In response, by way of the Final Office Action dated September 8, 2003, the Examiner noted that the claims do not specify that the blocking device/means is attached only to the receiver.

Accordingly, Claims 11 and 13 have been amended to recite that the blocking device/means is attached only to the firearm's receiver, and to no other portion of the firearm. As such, these claims are believed allowable, as are claims 12 and 14, which depend from Claims 11 and 13. The

Applicants note that none of the cited prior art references disclose or suggest, alone or in combination, a firearm having such a feature in combination with the other elements recited in these claims.

Kindly note, in the Final Office Action, the Examiner disagreed that the following amendments differentiated the present invention over the Blanck patent and other prior art references: (i) the use of "blocking" device or means (as opposed to "locking" device or means), as defined by the Applicants; or (ii) reciting that the lock device can only be actuated when the firearm receiver is in a fully open position (as opposed to merely an open position). Accordingly, since other amendments believed to differentiate the present invention over the prior art are being entered by way of this Amendment and in light of the Examiner's suggestions, Claims 11-15 have been changed back to their original form: (i) as relating to reciting a "lock means" or "locking device" instead of a blocking means/device, meaning coverage of devices that block, lock with, engage, or otherwise interfere with a firearm's action; and (ii) reciting an open position and not necessarily a fully open position.

#### SECTIONS 6-8 OF OFFICE ACTION

In Sections 6-8 of the Final Office Action dated September 8, 2003, Claims 11-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the prior art as applied therein. For the reasons given above, and in light of above set-forth amendments, Claims 11-14 are believed allowable over the cited prior art. Specifically, the Applicants respectfully submit that the cited prior art references, either alone or in combination, fail to disclose or suggest a firearm with a receiver, an action, and a locking device for blocking the action when actuated (thereby preventing the firearm from being fired), wherein: the locking device can only be actuated when the action is open; and the locking device is attached only to the receiver and to no other portion of the firearm.

#### CLAIM 22

New Claim 22 is generally similar to pre-amendment Claim 13. Claim 22 is believed allowable as incorporating another of the Examiner's suggestions. In particular, in Applicants' prior Amendment, the claims were amended to recite a "blocking" device or means instead of a "locking" or "lock" device/means, where "blocking" was defined as blocking a firearm action's normal path of

movement instead of engaging the action, as is the case with a locking device. In response, the Examiner stated that "blocking device," as defined by the Applicants, was not sufficiently defined to differentiate the claims over the Blanck patent.

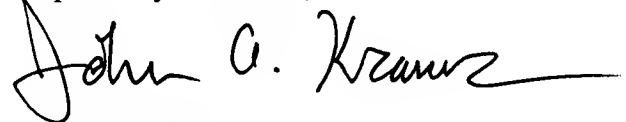
Accordingly, new Claim 22 further defines the "blocking device" by reciting that it blocks the path of travel of a portion of the action without engaging or extending into an aperture therein, thereby preventing the firearm from being fired without the need for alignment with, or especial provision of, an aperture in the action. Obviously, this confers the advantage of not having to drill holes into the firearm or otherwise provide special apertures/holes, as might increase manufacturing costs, require re-design of the firearm, or compromise structural/component integrity. Also, it confers the advantage of not necessarily having to position the firearm action at one particular location for the blocking device to be engaged. In the Blanck patent, on the other hand, an aperture has to be specially provided for the device to function properly (see, *e.g.*, FIGS. 5-7 in Blanck).

In light of the above, new Claim 22 is believed distinguished from the prior art per the Examiner's suggestion, and, therefore, allowable.

#### CONCLUSION

In view of the amendments and arguments set forth herein, Claims 11-15 and 22 of the present application are believed to be in condition for allowance and a Notice of Allowance is respectfully requested at this time.

Respectfully submitted,



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